

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

RECEIVED

PCT

<p>To: SEP 10 2007</p> <p style="text-align: center;">BROMBERG & SUNSTEIN LLP</p> <p style="text-align: center;">see form PCT/ISA/220</p>	<p style="text-align: center;">WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)</p>
<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>	<p>FOR FURTHER ACTION See paragraph 2 below</p>
<p>International application No. PCT/US2007/061681</p>	<p>International filing date (day/month/year) 06.02.2007</p>
<p>Priority date (day/month/year) 06.02.2006</p>	
<p>International Patent Classification (IPC) or both national classification and IPC INV. A61B17/15 ADD. A61B17/16 A61B17/17 A61B19/00</p>	
<p>Applicant CONFORMIS, INC.</p>	

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application



2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA:</p> <div style="text-align: center;">  </div> <p>European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016</p>	<p>Date of completion of this opinion</p> <p style="text-align: center;">see form PCT/ISA/210</p>	<p>Authorized Officer</p> <p style="text-align: center;">Macaire, Stéphane</p> <p>Telephone No. +31 70 340-3115</p> <div style="text-align: right;">  </div>
--	---	---

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

RECEIVED

PCT

<p>To:</p> <p style="text-align: center;">SEP 10 2007</p> <p style="text-align: center;">BROMBERG & SUNSTEIN LLP</p> <p style="text-align: center;">see form PCT/ISA/220</p>	<p style="text-align: center;">WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)</p>
<p>Date of mailing (day/month/year) see form PCT/ISA/210 (second sheet)</p>	

<p>Applicant's or agent's file reference see form PCT/ISA/220</p>	<p>FOR FURTHER ACTION See paragraph 2 below</p>	
<p>International application No. PCT/US2007/061681</p>	<p>International filing date (day/month/year) 06.02.2007</p>	<p>Priority date (day/month/year) 06.02.2006</p>
<p>International Patent Classification (IPC) or both national classification and IPC INV. A61B17/15 ADD. A61B17/16 A61B17/17 A61B19/00</p>		
<p>Applicant CONFORMIS, INC.</p>		

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☒ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☒ Box No. VIII Certain observations on the international application



2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

<p>Name and mailing address of the ISA:</p> <div style="text-align: center;">  </div> <p>European Patent Office - P.B. 5818 Patentlaan 2 NL-2280 HV Rijswijk - Pays Bas Tel. +31 70 340 - 2040 Tx: 31 651 epo nl Fax: +31 70 340 - 3016</p>	<p>Date of completion of this opinion</p> <p style="text-align: center;">see form PCT/ISA/210</p>	<p>Authorized Officer</p> <p style="text-align: center;">Macaire, Stéphane</p> <p>Telephone No. +31 70 340-3115</p> <div style="text-align: right;">  </div>
--	---	---

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2007/061681

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2007/061681

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of:
 - ☒ the international application in the language in which it was filed
 - ☐ a translation of the international application into , which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1 (b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ on paper
 - ☐ in electronic form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in electronic form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments: